



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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### RUS102619.E

Russia: Domestic violence; recourse and protection available to victims of domestic violence (2005-2007)  
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A variety of sources consulted describe domestic violence in Russia as a problem that is pervasive (AI 14 Dec. 2005, 1; OSI 2006; IPS 20 Mar. 2006; UN 6 Feb. 2007) and some sources described it as increasing (UN 26 Jan. 2006, 8; IPS 20 Mar. 2006).

### Statistics

The Russian government does not collect official statistics on the prevalence of domestic violence (AI 14 Dec. 2005, 17; OSI 2006). However, in its last report to the United Nations (UN) Committee on the Elimination of Discrimination Against Women in March 1999, the government stated that "[e]very year 14,000 Russian women die at the hands of their husbands or other relatives" (Russia 3 Mar. 1999). This government figure has been cited in other reports since 1999, for instance in a December 2005 report by Amnesty International (AI) (14 Dec. 2005, 17). Further, the Ministry of Interior reported that family-related crimes increased 16 percent to 101,000 between 2003 and 2004 (UN 26 Jan. 2006, 8).

The American Bar Association, the United States Agency for International Aid (USAID) and a group of Russian sociologists conducted a study that claims that domestic violence is worsening in Russia, as shown by reports that 56 percent of women surveyed have experienced violence or threats of violence by their husbands (IPS 20 Mar. 2006).

An earlier survey conducted by Moscow State University between 2002 and 2003 and involving 2,200 Russian respondents (AI 14 Dec. 2005, 18) found that 70 percent of women claimed they had been abused by their husband (ibid.; OSI 2006), while 90 percent of all respondents claimed that they had either experienced or witnessed "scenes of domestic psychological violence between their parents" (AI 14 Dec. 2005, 18). At the same time, male respondents were five times more likely to blame their wives than themselves for arguments that led to a beating (ibid., 19; OSI 2006).

### Legislation

Russia has no laws that specifically address domestic violence (AI 14 Dec. 2005, 11; OSI 2006; UN 26 Jan. 2006, para. 36), despite having considered up to 50 such draft laws in the past (ibid.).

Article 116 of the Russian Criminal Code criminalizes battery with a fine, compulsory work, corrective labour or imprisonment for up to three months (Russia 13 June 1996). Those convicted of "intentional infliction of a grave injury" (Article 111) can face a prison term of two to eight years, or up to fifteen years in case of the death of their victim (ibid.).

### Judiciary

The UN Special Rapporteur on violence against women notes that perpetrators of violence against women often enjoy impunity, or face "disproportionately lenient" sentences when convicted (UN 26 Jan. 2006, para. 42). Distrust of the judiciary, financial dependency, threats and social stigma mean that victims frequently drop their court case against a perpetrator, so few complaints lead to a conviction (ibid.). According to AI, police and Russian women's organizations estimate that 75 to 90 percent of complaints filed by women in Russia are eventually withdrawn (AI 14 Dec. 2005, 32).

While violent family members are entitled to free legal representation if they are criminally charged, the same is not usually available to their victims (ibid., 40; OSI 2006). However, non-governmental crisis centres

may in some instances provide assistance to victims of domestic violence (ibid.).

The Special Rapporteur provides as an example, a case where a court convicted a woman to 15 years' imprisonment for murdering her husband after she discovered that he had raped her daughter (UN 26 Jan. 2006, 9). The Special Rapporteur, notes that "[t]he court reportedly did not consider the years of domestic violence nor the rape of her daughter as mitigating factors" (ibid.).

## Police

According to the Special Rapporteur on violence against women,

[t]he lack of specific legislation contributes to impunity for crimes committed in the private sphere. It deters women from seeking recourse and reinforces police unwillingness, or even refusal, to deal seriously with the problem, as they do not consider it a crime. Reportedly, police officers, when called on may refuse to come to the scene, even in critical situations. (ibid., 11)

The victims that the Special Rapporteur met between 17 and 24 December 2004 corroborated the police's unwillingness to respond to complaints of domestic violence (ibid., 12). Police told AI that they consider domestic violence a low priority (AI 14 Dec. 2005, 34). AI cites a St. Petersburg procurator as stating that corruption, high staff turnover and poor working conditions conspire to limit the police's motivation to tackle domestic violence (ibid.). Female victims of violence reportedly also fear that the police may perpetrate violence themselves (ibid.).

Many female victims of domestic violence reportedly refrain from complaining due to police inaction; some 40 percent are said to never call upon law enforcement for assistance (UN 26 Jan. 2006, 12). A corroborating figure was found in a 2003 Moscow State University study, which found that only 35 percent of abused women turned to a doctor or the police for help (AI 14 Dec. 2005, 19).

AI expressed concern about the apparent reluctance of police officers to properly record repeat incidents of abuse as such because of the increased paperwork involved (ibid., 33). A spokesperson for the Women's Alliance, a non-governmental organization (NGO) in the Altai region, indicates that "[d]omestic violence is not considered a serious crime by the police, since they would never be promoted for solving such a case" (*The Moscow Times* 15 Dec. 2005). AI reports that on several occasions, a member of the Women's Alliance NGO in western Siberia has used her own car to take police to investigate domestic violence complaints after the police claimed they had no fuel (AI Feb. 2005).

AI notes that it was "alarmed by the virtually complete absence of complaints to the police from migrant women or women from certain ethnic minority background, including Caucasian," perhaps due to "lack of trust and fear" (14 Dec. 2005, 33).

The Open Society Institute (OSI) notes that although there are no special law enforcement agencies systematically dealing with violence against women, police receive training on domestic violence issues and are encouraged to increase their cooperation with female victims of family violence (OSI 2006). According to OSI, female officers offer support to policemen who are intervening in domestic violence cases (ibid.). In addition, some police officers are reportedly now cooperating with women's NGOs and fielding calls from female victims of violence (AI Feb. 2005).

## Government

Russia has been a party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) since 1981 (UN 23 Jan. 1981). However, according to AI's 2007 report on Russia, "[n]o measures under Russian law specifically addressed violence against women in the family, and government support for crisis centres and hotlines was totally inadequate" (AI 2007).

A fact sheet published by the Open Society Institute (OSI) and authored by a representative of the Moscow-based non-governmental organization, the National Center for the Prevention of Violence (ANNA), indicates that the only federal agency that dealt with domestic violence under the Ministry of Internal Affairs ceased operations in 2005 (OSI 2006). The state reportedly does not earmark special funds for NGOs working in the area of violence against women, nor are there state funds in the central law enforcement budget (ibid.). However, funding may be available for social programs at a local level (ibid.).

According to the Special Rapporteur on violence against women, the lack of adequate alternative housing, especially for women who live in public apartments, is an impediment for women who seek to escape an abusive household (UN 26 Jan. 2006, 10). In addition, while the *propiska* residential permit system has officially been

abolished, "propiska-like" practices reportedly continue in some areas, meaning that women who leave an abusive partner risk losing their registration as well as all their benefits (ibid., 11).

### **Non-governmental organizations (NGOs)**

Several human rights organizations report a lack of shelters for female victims of violence in Russia (UN 6 Feb. 2007; US 6 Mar. 2006; AI 14 Dec. 2005, 42). Depending on the source, there are between seven (OSI 2006) and eight state-run shelters in Russia for women and their children who have fled a violent household (AI 14 Dec. 2005, 42); however, these shelters are only available to women who are registered in the same municipality as the shelter (ibid.). According to the Ministry of Health and Social Development, 15 city-run crisis centres have some shelter facilities (OSI 2006). There are reportedly between ten and twenty spaces in each shelter (ibid.). In addition, AI notes that as of December 2005, there were no shelters for female victims of violence in Moscow (AI 14 Dec. 2005, 42; *The Moscow Times* 15 Dec. 2005). Although there is a shelter in the northern suburb of Khimki, Muscovites are reportedly not legally permitted to live there (ibid.).

The shelter in St. Petersburg admits women for a period of two months, which may be extended; women may also benefit from psychological, legal, social and job-related support (AI 14 Dec. 2005, 43). Women can also obtain assistance in finding a new school for their children (ibid.).

In December 2005, AI reported that there were some 300 telephone hotlines and 25 crisis centres available to female victims of violence (ibid., 42). Many of these hotlines rely on non-state actors for funding (ibid.), and few are available on a 24-hour basis (ibid.; OSI 2006). According to OSI, there are 19 major crisis centres that provide psychological counselling, either by hotline, or in face-to-face individual or group meetings, but they reportedly operated with "very limited resources" (ibid.).

In 2005, ANNA reported that 22 of the 170 organizations in its network closed down due to a lack of financing (US 6 Mar. 2007).

ANNA operates a Moscow-based hotline which works from 9 a.m. to 9 p.m., Monday through Friday, and that receives two hundred calls per month (ANNA n.d.). The centre provides legal assistance and advocacy, public education and outreach, training, research, and counselling (ibid.).

Contact information for a number of Russian women's NGOs can be found on the website of PeaceWomen.org (PeaceWomen.org n.d.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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